

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE  
2006 MAR 30 A 10:39

MASSACHUSETTS EYE & EAR INFIRMARY, )

Plaintiff, )

vs. )

EUGENE B. CASEY FOUNDATION and )  
THOMAS F. REILLY, as he is the Attorney General )  
of The Commonwealth of Massachusetts, )

Defendants. )

Case No. 1:05-cv-11229

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**JOINT MOTION FOR EXTENSION OF TIME**

The Massachusetts Eye and Ear Infirmary and Eugene B. Casey Foundation hereby jointly move for an extension of thirty days of all deadlines set forth in the Scheduling Order, except for the final pretrial conference and trial dates, which shall remain as scheduled. The joint motion is not for the purpose of delay but to grant the parties additional time to engage in meaningful settlement discussions. No memorandum of law or affidavit is submitted in support of this motion since there are no disputed issues of fact or law.

Dated: March 30, 2006

Respectfully submitted,

By: John C. Kane Jr.

John C. Kane, Jr., Esq.  
Ropes & Gray LLP  
One International Place  
Boston, MA 02110-2624

*Counsel for Massachusetts Eye & Ear Infirmary*

By: Ellen C. Oberwetter (by jck n)

Ellen E. Oberwetter, Esq.  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, N.W.  
Washington, D.C. 20005  
(202) 434-5000

Barbara Hamelburg, Esq.  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2600

*Counsel for the Eugene B. Casey Foundation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS EYE & EAR INFIRMARY, )

Plaintiff, )

vs. )

Case No. 1:05-cv-11229-NMG

EUGENE B. CASEY FOUNDATION and )

THOMAS F. REILLY, as he is the Attorney General )

of The Commonwealth of Massachusetts, )

Defendants. )

**ORDER**

The Court hereby GRANTS the Massachusetts Eye & Ear Infirmary and Eugene B. Casey Foundation's Joint Motion for an Extension of Time. All deadlines set forth in the Scheduling Order shall be extended thirty days, except for the final pretrial conference and trial dates, which shall remain as scheduled.

SO ORDERED.

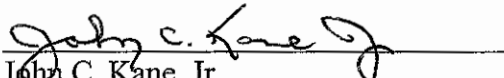
Dated: April \_\_\_\_, 2006.

\_\_\_\_\_  
Hon. Nathaniel M. Gorton

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the Joint Motion for Extension of Time was served this date, March 30, 2006 via first-class mail, postage prepaid, to the following:

Jamie Katz, Esq.  
Johanna Soris, Esq.  
Office of the Attorney General  
McCormack Building  
One Ashburton Place  
Boston, MA 02108

  
John C. Kane, Jr.